IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 27TH NOVEMBER 2006 / 6TH AGRAHAYANA 1928

Crl.MC.No. 3822 of 2006()

CC.127/2006 of CHIEF JUDICIAL MAGISTRATE COURT, PALAKKAD

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PETITIONERS: ACCUSED 3 TO 5:

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1. KANJANA,
   WIFE OF THE LATE SHANKARAN,
   KRISHNA NAGAR, PUTHUR, PALAKKAD.

2. K.A.JALAJA,
   WIFE OF NARAYANAN,
   KIZHAKKETHARA, VENOLI, KALAYAPULLI,
   KOTTEKKAD, PALAKKAD.

3. K.A.ANITHA,
   WIFE OF SURESHKUMAR,
   KUNNATHUPURA, EDATHARA, PALAKKAD.

BY ADV. SRI.S.M.PREM
SMT.K.P.SANTHI

RESPONDENTS: COMPLAINANT

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1. STATE OF KERALA,
   REPRESENTED BY PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

2. T.K.BHAVADAS,
   SON OF KESAVAN, UTHRAMKADU VEEDU,
   THENKURRISI, PALAKKAD.

BY P.P. SRI.PUZHAKKARA MUHAMMED.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 27/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

CRL.M.C.NO. 3822 OF 2006

Dated this the 27th day of November, 2006

ORDER

The petitioners are accused 3 to 5 in a prosecution under Sec.494 of the IPC. The crux of th allegations against the petitioners is that accused 1 and 2 entered into a second marriage while the marriage of the 1st accused with the complainant was in force. On a private complaint filed, cognizance has been taken. The petitioner has been summoned to appear before the learned Chief Judicial Magistrate, Palakkad. Before appearing before the learned Chief Judicial Magistrate, the petitioners have rushed to this Court with this application to quash the proceedings under Sec.482 of the Cr.P.C.

2. I have hard the learned counsel for the petitioners. No circumstances have been brought to my notice which would justify the quashing of the complaint at this stage of the proceedings. The learned counsel for the petitioners only submits that the appeal is listed for hearing later this week and the petitioners may be granted time to appear before the

learned Magistrate.

3. I am satisfied that this Crl.M.C. can be dismissed; but with the observation that the petitioner shall have time for one month to appear before the learned Magistrate. No coercive process shall be executed against the petitioners in the meantime.

4. This petition is, accordingly dismissed with the above observations.

Sd/-

(R. BASANT, JUDGE)

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P.S. to Judge